

This is not a Republican document. This is coming from here.

The President gave false or misleading testimony and impeded discovery of evidence in judicial proceedings.

Isn't that another way of saying obstruction of justice and perjury?

The President's conduct demeans the Office of the President as well as the President himself and creates disrespect for the laws of the land. Future generations of Americans must know that such behavior is not only unacceptable but bears grave consequences including loss of integrity, trust and respect.

But not loss of job.

Whereas, William Jefferson Clinton's conduct has brought shame and dishonor to himself and to the Office of the President; whereas, he has violated the trust of the American people—

See Hamilton Federalist No. 65—

he should be condemned in the strongest terms.

Well, the next to the strongest terms. The strongest terms would remove him from office.

Well, do you really cleanse the office as provided in the Constitution or do you use the Airwick of a censure resolution? Because any censure resolution, to be meaningful, has to punish the President, if only his reputation. And how do you deal with the laws of bill of attainder? How do you deal with the separation of powers? What kind of a precedent are you setting?

We all claim to revere the Constitution, but a censure is something that is a device, a way of avoiding the harsh constitutional option, and it is the only one we have up or down on impeachment. That, of course, is your judgment, and I am offering my views, for what they are worth.

Once in a while I do worry about the future. I wonder if, after this culture war is over, this one we are engaged in, an America will survive that is worth fighting for to defend.

People won't risk their lives for the U.N., or over the Dow Jones averages. But I wonder, in future generations, whether there will be enough vitality left in duty, honor and country to excite our children and grandchildren to defend America.

There is no denying the fact that what you decide will have a profound effect on our culture, as well as on our politics. A failure to convict will make a statement that lying under oath, while unpleasant and to be avoided, is not all that serious. Perhaps we can explain this to those currently in prison for perjury. We have reduced lying under oath to a breach of etiquette, but only if you are the President.

Wherever and whenever you avert your eyes from a wrong, from an injustice, you become a part of the problem.

On the subject of civil rights, it is my belief this issue doesn't belong to anyone; it belongs to everyone. It certainly belongs to those who have suffered invidious discrimination, and one would have to be catatonic not to know that the struggle to keep alive equal protection of the law never ends. The

mortal enemy of equal justice is the double standard, and if we permit a double standard, even for the President, we do no favor to the cause of human rights. It has been said that America has nothing to fear from this President on the subject of civil rights. I doubt Paula Jones would subscribe to that endorsement.

If you agree that perjury and obstruction of justice have been committed, and yet you vote down the conviction, you are extending and expanding the boundaries of permissible Presidential conduct. You are saying a perjurer and obstructer of justice can be President, in the face of no less than three precedents for conviction of Federal judges for perjury. You shred those precedents and you raise the most serious questions of whether the President is in fact subject to the law or whether we are beginning a restoration of the divine right of kings. The issues we are concerned with have consequences far into the future because the real damage is not to the individuals involved, but to the American system of justice and especially the principle that no one is above the law.

Edward Gibbon wrote his magisterial "Decline and Fall of the Roman Empire" in the late 18th century—in fact the first volume was issued in 1776. In his work, he discusses an emperor named Septimius Severus, who died in 211 A.D. after ruling 18 years. And here is what Gibbon wrote about the emperor:

Severus promised, only to betray; he flattered only to ruin; and however he might occasionally bind himself by oaths and treaties, his conscience, obsequious to his interest, always released him from the inconvenient obligation.

I guess those who believe history repeats itself are really onto something. Horace Mann said:

You should be ashamed to die unless you have achieved some victory for humanity.

To the House managers, I say your devotion to duty and the Constitution has set an example that is a victory for humanity. Charles de Gaulle once said that France would not be true to herself unless she was engaged in some great enterprise. That is true of us all. Do we spend our short lives as consumers, space occupiers, clock watchers, as spectators, or in the service of some great enterprise?

I believe, being a Senator, being a Congressman, and struggling with all our might for equal justice for all, is a great enterprise. It is our great enterprise. And to my House managers, your great enterprise was not to speak truth to power, but to shout it. And now let us all take our place in history on the side of honor and, oh, yes: Let right be done.

I yield back my time.

The CHIEF JUSTICE. The Chair recognizes the majority leader.

ORDER OF PROCEDURE

Mr. LOTT. Mr. Chief Justice, I believe that concludes the closing arguments. Therefore, the Senate will re-

convene as the Court of Impeachment at 1 p.m. on Tuesday to resume consideration of the articles of impeachment.

NOTICE OF INTENT TO SUSPEND THE RULES OF THE SENATE BY SENATORS DASCHLE, LOTT, HUTCHISON, HARKIN, WELLSTONE, COLLINS, SPECTER, AND LEAHY

In accordance to Rule V of the Standing Rules of the Senate, I (for myself, Mr. LOTT, Ms. HUTCHISON, Mr. HARKIN, Mr. WELLSTONE, Ms. COLLINS, Mr. SPECTER, and Mr. LEAHY) hereby give notice in writing that it is my intention to move to suspend the following portions of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials in regard to any deliberations by Senators on the articles of impeachment during the trial of President William Jefferson Clinton:

(1) The phrase "without debate" in Rule VII;

(2) the following portion of Rule XX: " , unless the Senate shall direct the doors to be closed while deliberating upon its decisions. A motion to close the doors may be acted upon without objection, or, if objection is heard, the motion shall be voted on without debate by the yeas and nays, which shall be entered on the record"; and

(3) In Rule XXIV, the phrases "without debate", "except when the doors shall be closed for deliberation, and in that case" and " , to be had without debate".

ADJOURNMENT UNTIL 1 P.M. TOMORROW

Mr. LOTT. I ask the Court of Impeachment stand in adjournment until 1 p.m. tomorrow, and I ask further consent the Senate now resume legislative session. I remind all Senators to stand as the Chief Justice departs the Chamber.

There being no objection, at 6:34 p.m. the Senate, sitting as a Court of Impeachment, adjourned until Tuesday, February 9, 1999, at 1 p.m.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. ENZI). The Senate will come to order.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE 1999 NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary.

To the Congress of the United States: